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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,595	12/13/2000	Mirosław Z. Bober	200801US2	3702

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OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 12/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/734,595

Applicant(s)
Miroslaw Z. Bober et al.

Examiner
Melur. Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 13, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Claim Objections

1. Claims 6-7, 12-14, 20, 25-27, are objected to under 37 CFR 1.75© as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim 6-7, 12-14, 20, 25-27 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 28-29, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. Hence, claims 28-29, are not further treated on their merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 8-10, 15-18, 22, are rejected under 35 U.S.C 102(b) as being anticipated by Hirabayashi (JP 07-030888).

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Regarding claims 1, Hirabayashi discloses a method of transmitting video image including an object of interest comprising capturing a sequence of images in which the object of interest occupies a fraction of each image, tracking the object of interest by selecting and extracting a region of each image including object of interest, and coding only the selected region of each captured image (Drawing 1, paragraphs: 0012-0021, 0026).

Regarding claim 8, Hirabayashi further discloses a method of processing a video image including an object of interest comprising selecting a region of an image including object of interest, the selected region being of a predetermined region, and coding the selected region (Drawing 1, paragraphs: 0012-0021, 0026).

Regarding claim 15, Hirabayashi further discloses a method of processing a video image including an object of interest comprising selecting a region of the image including object of interest and which is greater than the area occupied by the object of interest by a predetermined degree, and coding the region (Drawing 1, paragraphs: 0012-0021, 0026).

Regarding claim 22, Hirabayashi further discloses an image processing circuit comprising means for extracting a region of each image including an object of interest and coding only selected region of captured image (Drawing 1, paragraphs: 0012-0021, 0026).

Regarding claims 2-5, 9-10, 16-18, Hirabayashi further teaches the following: stabilizing the object of interest within extracted region (implicit), extracted region is selected so that the object of interest is centered within the extracted region (implicit), transmitting the coded region, decoding and displaying the selected region, the extracted region is displayed in a format

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comprising fewer pixels than the format of the captured image (Drawing 2, paragraphs 0022-0025), only the selected region is coded and rest of the image is discarded, the selected region corresponds to a predetermined image format having fewer pixels than the format of the image captured, object of interest occupies a predetermined percentage of the selected region, scaling the selected region to a predetermined size, predetermined size corresponds to a known format (Drawing 1, paragraphs: 0012-0021, 0026).

6. Claim 21 is rejected under 35 U.S.C 102(b) as being anticipated by Bianchi (US PAT: 5,434,617).

Regarding claim 21, Bianchi discloses a method of operating a video camera comprising: arranging the camera (120, fig. 1) so that object of interest occupies a fraction of the area of the captured image, tracking movement of the object of interest within the captured image, selecting and extracting a region of interest around the object of interest and displaying only the extracted part of the captured image (col. 4 lines 4-67, col. 5 lines 1-52).

7. Claims 23-24, are rejected under 35 U.S.C 102(b) as being anticipated by Fujino et al. (JP405068241A, hereinafter Fujino).

Regarding claim 23-24, Fujino discloses an image processing circuit comprising means for selecting a region of an image including an object of interest, the selected region being of a predetermined size, and coding the selected region (fig. 1, see abstract).

Claim Rejections - 35 USC § 103

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8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 11, 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hirabayashi in view of Fujino.

Regarding claims 11-19, Hirabayashi does not teach the following: captured image is in CIF format and the selected region is in QCIF format.

However, Fujino discloses CIF image transforming system for video telephone which teaches the following: generating and transmitting picture in CIF or QCIF format (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hirabayashi's system to provide for the following: captured image is in CIF format and the selected region is in QCIF format as this arrangement would provide well known methods of image formatting to suite the applications in video telephone as suggested by Fujino.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).


Melur. Ramakrishnaiah

PRIMARY EXAMINER

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